

1923

INTERSTATE COMMERCE COMMISSION

REPORT OF THE DIRECTOR OF THE BUREAU OF SAFETY CONCERNING AN  
ACCIDENT ON THE GREAT NORTHERN RAILWAY AT WOLF POINT,  
MONT., ON AUGUST 10, 1934.

October 24, 1934.

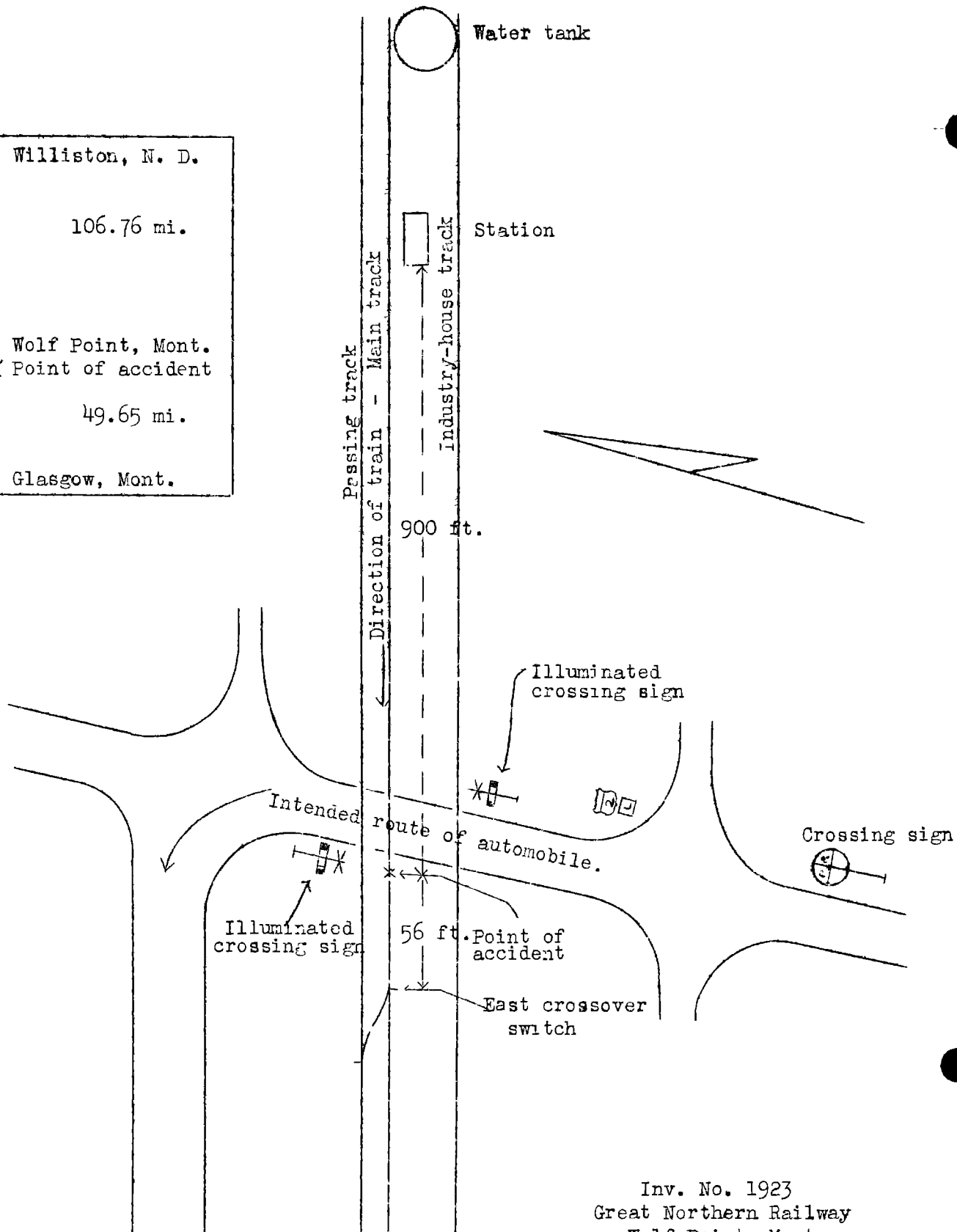
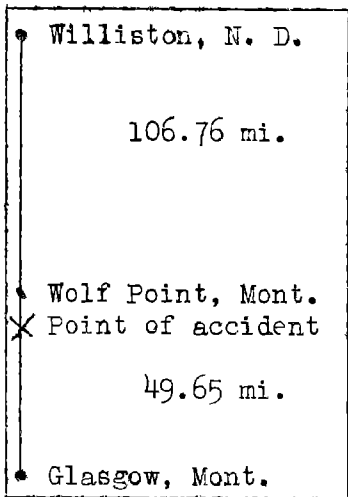
To the Commission:

On August 10, 1934, there was a derailment of a mail train as a result of striking an automobile on the tracks of the Great Northern Railway at a highway grade crossing at Wolf Point, Mont., which resulted in the death of 1 employee and the injury of 1 passenger and 1 employee.

Location and method of operation

This accident occurred on the First Subdivision of the Butte Division, which extends between Williston, N.D., and Glasgow, Mont., a distance of 156.41 miles. In the vicinity of the point of accident this is a single-track line over which trains are operated by time table, train orders, and an automatic block-signal system. The point of accident was about 900 feet west of the station at Wolf Point, where U.S. highway No. 2 crosses the track at an angle of 76°. Approaching the crossing from the east the track is tangent for more than 2 miles, and the grade for west-bound trains is 0.3 percent descending at the crossing. There is a passing track which parallels the main track on the north and an industry-house track on the south, this latter track being 43 feet south of the main track. Between the industry and main tracks the view is unobstructed in either direction and the headlight of an approaching west-bound train can be seen for a distance of at least 2 miles. West of the crossing there is a cross-over which connects the main track with the passing track, the east switch being a facing-point switch for west-bound trains; the switch stand is located on the south side of the main track and about 70 feet west of the crossing.

U.S. highway No. 2 has a gravelled surface about 19 feet in width and is planked at each track. Approaching the crossing on the highway from the south, the highway is tangent for a distance of 600 feet to a point just north of the crossing, where the highway turns sharply to the left and then parallels the tracks. The grade is slightly ascending toward the crossing. At a point about 396 feet south of the main track



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there is a standard highway sign, consisting of a metal disk, painted yellow, with the letters "RR" and crossed lines painted on it in black. At a point 270 feet north of this sign there is a state highway sign indicating that U.S. highway No. 2 turns to the left at the next intersection, which is just north of the tracks. A standard highway crossing sign of the cross-bar type is located  $12\frac{1}{2}$  feet south of the industry-house track. Below the cross arms are two oil lamps displaying red lights toward the south, one on each side of a glass box upon which in 4-inch letters is the word "STOP". The lights on this sign are not well maintained, however, and are somewhat indistinct, and part of the glass in the center section was missing when inspected after the accident.

The weather was clear and dark at the time of the accident, which occurred about 12:16 a.m.

#### Description

West-bound mail Train No. 27 consisted of 1 coach, 2 baggage cars, 1 mail car, 1 baggage car, 1 express car, 1 baggage car, 2 express cars and 1 coach, in the order named, hauled by engine 2582, and was in charge of Conductor Mayer and Engineman Jelley. The cars were of all-steel construction with the exception of the first baggage car, which was of wooden construction with steel reinforcements and steel sheathing. This train passed Brockton, 35.18 miles east of Wolf Point, at 11:55 p.m., on time, passed the station at Wolf Point at 12:16 a.m., on time, and struck an automobile which was stalled just west of the highway crossing while traveling at a speed estimated to have been about 48 miles per hour.

The automobile involved in this accident was a Chevrolet coupe, 1929 model, driven by Carl Brenden of Brockton, Mont. It had been proceeding northward on highway No. 2, crossed over the industry track and then was turned to the left and became stalled with one wheel over the south rail of the main track, 10.5 feet west of the crossing, where it was standing when struck by Train No. 27.

The automobile was demolished and the wreckage carried on the pilot of the engine, and on encountering the switch stand at the east end of the cross-over the switch stand was broken loose from the head block and released the switch points, allowing the train to enter the cross-over where it was derailed. The engine stopped 363 feet west of the switch, leaning to the right at an angle of about  $45^{\circ}$ , and was considerably damaged; the first three cars remained upright across the passing and main tracks, while the fourth, fifth and sixth cars remained in general line with the cross-over. The engineman was killed

and the fireman was injured.

#### Summary of evidence

Fireman Gilmore stated that on approaching the station the engineman sounded the station whistle signal, turned on the automatic bell ringer, and then sounded the crossing whistle while the engine was still east of the station, sounding it again as the engine was passing the station or immediately thereafter. Fireman Gilmore was on his seat box looking ahead and just as he reached down to turn off the bridge sprinkler, when the engine was about an engine length from the crossing, he caught a glimpse of an automobile or truck, the front wheels of which appeared to be over the south rail of the main track. The automobile was headed westward with no lights showing on it and he thought it stood about a rod west of the crossing. The engineman must have seen it about the same time as the fireman felt the air brakes apply and almost at once there were pieces of the automobile flying past his window; the engine then continued about an engine length and became derailed at the switch. Fireman Gilmore stated that approaching the crossing he did not see any one on or east of it, although the headlight on his engine was burning and in good condition; he estimated the speed of his train to have been 47 or 48 miles per hour.

Conductor Mayer heard the engineman sound the station whistle signal as well as the crossing signal, and on approaching the station he looked out of a window in the rear car in order to see the train-order signal and again heard a crossing whistle signal, while after passing the station he felt the air brakes applied in emergency; he was not positive that the second crossing signal was completed. After the accident he immediately started toward the head end of the train and found the brakeman and a stranger, whom he learned later was the driver of the automobile, helping the injured fireman, and several hours after daylight he overheard this driver describe to Claim Agent Dunning how his automobile became stalled on the track. Conductor Mayer stated that when he first saw the driver after the accident he did not appear to be under the influence of liquor.

Head Brakeman Taylor stated that as soon as the train stopped he jumped off the rear car, which had stopped about 100 feet east of the crossing, and started running ahead and when about at the center of the coach he met the driver of the automobile; the driver was excited but appeared to be sober.

Brakeman Waldrip, who was deadheading on Train No. 27, stated that after the accident he talked with the driver of the automobile, Carl Brenden. Brenden told him that he had been drunk the night before and admitted that he might have been slightly affected by the after-effects of that drunk at the

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time of the accident. Brakeman Waldrip said that Brenden was slow in answering his questions, but he could not smell any liquor on him at that time and he did not stagger.

Claim Agent Dunning, who arrived at the scene about 3 a.m., said Brenden told him he had crossed one track and thinking that he was at the turn of highway No. 2 he made a left turn and became stalled with the right front wheel over the south rail of the main track, and on attempting to back up, the rear wheels dug into the sand and gravel and he was unable to move his car. After about 2 or 3 minutes he got out and started across the highway intending to go to the station and notify the operator, but just as he started he saw the headlight of the approaching train. He started to run and wave his hat, but the engine passed him when he had reached a point about half way between the crossing and the station; he was on the south or fireman's side of the track. Claim Agent Dunning stated that there was nothing about Brenden's actions or talk that led him to believe he was intoxicated. Special Agent Bailey also said he noticed nothing about Brenden's actions, his breath or his talk that would lead him to believe the driver had been on a drunk; he appeared perfectly normal at that time, which was 9:50 a.m. Agent Bailey also talked with several people relative to Brenden's condition and the opinion of all but one was that he was sober when they talked with him after the accident.

At the coroner's inquest, Brenden was questioned by the county attorney and stated that on leaving Wolf Point about midnight he turned off from the crossing too soon and his car became stalled, as previously described. He said the condition of the lights on his car was not good, that there was only one headlight burning, giving a fairly good light, and that he left this light turned on when he started toward the station after his car had stalled; he had bought neither bulb that afternoon but forgot to change the bulbs. On approaching the crossing, however, he had noticed the railroad crossing sign but said the light did not appear to be very bright; he had used this crossing twice previously during the past year. Driver Brenden further stated that he had spent considerable time in beer parlors prior to the time he started to leave Wolf Point, and that he had had about six glasses of beer at one place and several at another; he was not very clear as to just how many he had had altogether, and denied having had any whisky. In addition to the glasses of beer he bought four bottles of beer which he took with him accompanied by a friend, to a private residence where the friend was staying and where he had another drink, saying that he drank only about one-half of a bottle at that time. When

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he started to leave Wolf Point he said that he knew what he was doing and did not think that he was intoxicated.

The statements of two residents at whose home Brenden took the beer corroborated his statement that he drank only half a bottle of it, but in addition to the beer they stated he had a pint of whisky, from which he took a drink while he was there; this was about 11 p.m. The woman who was with Brenden at that time said he did not drink any whisky and she also said that during the evening Brenden drove over the crossing involved in this accident.

Tennis Ren, who lived about 200 feet south of the crossing, stated that he heard the car when it became stalled and it seemed that the driver spent about 15 minutes in trying to get it off the crossing. Mr Ren said on looking out he was unable to see the car until it was revealed by the headlight of the train. He did not think there was a light of any kind on the car; he was positive that there was no tail light burning, but as the car was headed northwest he was unable to see its front end.

Statements made by four other persons who talked with Brenden shortly after the occurrence of the accident, among whom were the chief of police and an undersheriff, were to the effect that Brenden was sober at that time.

### Conclusions

This accident was caused by Train No. 27 striking an automobile which had turned off the highway at a grade crossing and had become stalled on the track.

The evidence indicates that the driver of the automobile became confused after passing over the first track, which is 45 feet from the main track, and thinking that he had passed over all the tracks he turned to the left with the idea that he was following the highway, which turns to the left just beyond the crossing, and had gone only a short distance when his car became stalled on the main track. On finding that he was unable to move his car, he started toward the station and then saw the headlight of the approaching train. He tried to flag the train with his hat and stated that he was about half way between the crossing and station when the engine passed him. The brakeman, however, stated that he met the driver coming toward him from the crossing just after getting off the rear car, which stopped only 100 feet east of the crossing. The evidence further indicated that the engineman had sounded two crossing whistle signals and that he saw the automobile just

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in time to apply the air brakes in emergency before the accident occurred.

The driver of the automobile stated that he had been in various beer parlors prior to the accident and had consumed a considerable quantity of beer, but denied having had any whisky, although there was some evidence to the contrary; the statements of many witnesses who talked with him after the occurrence of the accident were to the effect that he was sober and showed no indications of having been drinking. While no positive statement can be made as to his condition at the time he approached this crossing, it is clearly evident that he was not paying sufficient attention to know where he was going, particularly in view of the fact that he had only one headlight burning on his car, and that his own negligence was solely responsible for stalling his automobile on the track, thus resulting in the subsequent derailment of Train No. 27.

The railroad company advised that they are preparing to install a crossing signal which will give both audible and visible warnings of the approach of a train from either direction. It is probable, however, that this particular accident would not have been prevented even had the signal been in use, for the automobile had run off the crossing several minutes before the train approached the crossing.

Respectfully submitted,

W. J. PATTERSON,

Director.